

St. Louis City Ordinance 64994

FLOOR SUBSTITUTE
BOARD BILL NO. [00] 111

INTRODUCED BY ALDERMAN JOSEPH D. RODDY, PHYLLIS YOUNG,
PARRIE L. MAY, KENNETH JONES, LYDA KREWSON, DIONNE FLOWERS,
THOMAS BAUER, FREEMAN BOSLEY SR., JAMES SONDERMANN

An ordinance relating to parks; imposing, under and by the authority of Sections 67.1700 to 67.1769 RSMo1999 Supp., subject to the approval of the voters, a one-tenth of one cent sales tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo, for the purpose of funding the creation, operation and maintenance of a Metropolitan Park and Recreation District, in addition to any and all other sales taxes allowed by law; submitting to the qualified voters of the City of St. Louis a proposal to approve this ordinance; providing for an election and the manner of voting thereat; providing that if such question shall receive the votes of a majority of the voters voting thereon that such tax shall be authorized and in effect as provided in Sections 67.1700 to 67.1769 RSMo 1999 Supp.; providing that the tax imposed pursuant to the provisions of this Ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo; providing for the allocation to specified purposes of a portion of the proceeds of such tax; providing for the appointment of board members to said district from the City of St. Louis; and containing a severability clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Under and by the authority of Sections 67.1700 to 67.1769 RSMo 1999 Supp., there is hereby imposed, subject, however, to the approval of the qualified voters as hereinafter provided, a one-tenth of one cent sales tax on all retail sales made in the City of St. Louis for the purpose of funding the creation, operation and maintenance of a Metropolitan Park and Recreation District, in addition to any and all other sales tax allowed by law.

SECTION TWO. The following question is hereby submitted to the qualified voters of the City of St. Louis and shall be voted upon at an

election to be held as hereinafter provided. The question shall read substantially in words and figures as follows:

PROPOSITION C

Shall there be organized in the City of St. Louis, state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing community trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall the City of St. Louis join such other counties of

St. Louis, St. Charles, Franklin, Jefferson, Lincoln and Warren that approve the formation of such a district in their respective counties to form one metropolitan district to be known as the AMetropolitan Park and Recreation District@, with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to the City of St. Louis for local park improvements, all as authorized by the Board of Aldermen of the City of St. Louis pursuant to Ordinance No. _____, approved and in effect on the ____ day of _____, 2000?

YES [] NO []

If you are in favor of the question, place an AX@ in the box opposite AYES@. If you are opposed to the question, place and AX@ in the box opposite ANO@.

SECTION THREE. The foregoing question shall be submitted to the qualified voters at an election called and to be held on Tuesday, the seventh (7th) day of November, 2000, and if the question shall receive in its favor the votes of a majority of the voters voting thereon, the tax shall be authorized and shall become effective as provided in Sections 67.1700 to 67.1769 RSMo 1999 Supp. The qualified voters may, at such election, vote a ballot in substantially the following form:

PROPOSITION C

Shall there be organized in the City of St. Louis, state of Missouri, a metropolitan park and recreation district for the purposes of improving water quality, increasing park safety, providing community trails, improving, restoring and expanding parks, providing disabled and expanded public access to recreational areas, preserving natural lands for wildlife and maintaining other recreational grounds within the boundaries of such proposed metropolitan district, and shall the City of St. Louis join such other counties of St. Louis, St. Charles, Franklin, Jefferson, Lincoln and Warren that approve the formation of such a district in their respective counties to form one metropolitan district to be known as the AMetropolitan Park and Recreation District@, with funding authority not to exceed one-tenth of one cent sales taxation, subject to an independent annual audit, with fifty percent of such revenue going to the metropolitan district and fifty percent being returned to the City of St. Louis for local park improvements, all as authorized by the Board of Aldermen of the City of St. Louis pursuant to Ordinance No. _____, approved and in effect on the ____ day of _____, 2000?

YES [] NO []

If you are in favor of the question, place an AX@ in the box opposite AYES@. If you are opposed to the question, place an AX@ in the box opposite ANO@.

SECTION FOUR. The Board of Election Commissioners of the City of St. Louis shall provide notice of such election pursuant to Section 115.127 RSMo, shall provide the ballots or voting machines, or both, and conduct the election and shall ascertain the results thereof, all according to the laws regulating such elections. Upon approval of this ordinance, it shall be published once in the City Journal. Proof of publication of this ordinance shall be made by affidavit of the City Register and such affidavit shall be filed in the office of the City Register and a copy of said publication shall be attached thereto.

SECTION FIVE. The provisions of Sections 67.1700 to 67.1769 RSMo are adopted and incorporated herein by reference as if fully set forth.

SECTION SIX. The tax imposed pursuant to the provisions of this Ordinance shall be a tax on all retail sales made in the City of St. Louis which are subject to taxation under the provisions of Sections 144.010 to 144.525 RSMo.

SECTION SEVEN. All revenue returned to the City of St. Louis from the tax authorized by this Ordinance pursuant to Section 67.1754 RSMo shall be deposited in a special trust fund, hereby created, to be known as the Metropolitan Park and Recreation District Capital Improvements Sales Tax Trust Fund (the AMetro Parks Trust Fund@), to consist of two accounts, namely, a Major Parks Capital Improvements Account and a Neighborhood Parks Capital Improvements Account. All revenue of the Metro Parks Trust Fund and all interest on such revenue shall be allocated and credited upon receipt as follows: forty percent (40%) to the Major Parks Capital Improvements Account and sixty percent (60%) to the Neighborhood Parks Capital Improvements Account. Revenue credited and allocated to the Major Parks Capital Improvements Account shall be credited and allocated to six sub-accounts, one each for capital improvements in Carondelet, Fairground, Forest, O=Fallon, Willmore and Tower Grove Parks (the AMajor Parks@) in percentages of the revenue of the Major Parks Capital Improvements Account for each such

sub-account determined by dividing the acreage of each Major Park for which the sub-account is held by the total acreage of all the Major Parks.

SECTION EIGHT. Appropriations from the Metro Parks Trust Fund shall be made pursuant to the policies and procedures for capital improvements planning and budgeting as provided in Ordinance 60419, as amended; provided, however, that as part of the annual budget preparation process, the Director of Parks, Recreation and Forestry shall prepare and submit to the Budget Division his or her recommendations for expenditure of revenues on deposit in: i) the Major Parks Capital Improvements Account in a manner similar to current procedures for appropriating revenues in the Major Park Capital Improvements Account of the Capital Improvements Sales Tax Trust Fund established by Ordinance 62885; and ii) the Neighborhood Parks Capital Improvements Account pursuant to Section Nine hereof.

SECTION NINE. Revenue on deposit in the Neighborhood Parks Capital Improvements Account shall only be expended for capital improvements projects in public parks owned by the City of St. Louis and maintained by the City's Department of Parks, Recreation and Forestry; provided, however, that no revenues in such account shall be expended for projects in any Major Park. Further, revenues in such account shall not be expended for more than seventy-five percent (75%) of the cost of any specific capital improvement project. Matching funds for any such specific capital improvement project shall be accepted by the Comptroller from any source whatsoever, including, but not limited to: i) revenues in any Ward Capital Improvements Sub-Account of the Capital Improvements Sales Tax Trust Fund established by Ordinance 62885; ii) Community Development Block Grant Funds; and iii) private donations and/or private and public grants on deposit in the City Treasury in accounts established by the Comptroller for such purpose.

In preparing and submitting to the Budget Division his or her annual appropriation recommendations for Neighborhood Parks, the Director of Parks, Recreation and Forestry shall consider various factors, including, but not limited to: i) the relative capital improvement needs of the neighborhood parks; ii) the amount of Neighborhood Parks Capital Improvements Account funds appropriated to specific Wards and neighborhoods in previous years; iii) the percentage of non-Metro Parks Trust Fund matching funds available for the project; and iv) that each annual appropriation be balanced to provide neighborhood park improvements in as many different Wards and neighborhoods as

possible. In addition, said recommendations shall be approved by resolution of the Parks and Environmental Matters Committee of the Board of Aldermen prior to their submission to the Budget Division.

SECTION TEN. All monies from any account or sub-account within the Metro Parks Trust Fund shall be expended only by appropriating ordinances. No money credited and allocated to any account or sub-account within the Metro Parks Trust Fund shall be: i) transferred to any other fund, account or sub-account; or ii) appropriated, expended, used or encumbered for any purpose other than capital improvements as indicated by the name of the respective account or sub-account.

SECTION ELEVEN. The City shall not decrease its annual general revenue or capital fund appropriations or expenditures for park and recreation purposes from general revenues or capital funds as a result of the approval of the voters of the sales tax authorized by this Ordinance.

SECTION TWELVE. In addition to the provisions of Sections 67.1724 to 67.1739, RSMo pertaining to the Board of Directors of the Metropolitan Park and Recreation District, the Mayor, with the advice and consent of the Board of Aldermen, shall appoint the number of board members as allocated by law, provided, however, that no two such board members shall be residents of the same Geographic Area of the City until one such board member has been selected from each Geographic Area of the City. For the purposes of this ordinance, the City is hereby divided into the three following Geographic Areas: i) North - that area of the City generally north of Delmar Boulevard; ii) Central - that area of the City generally between Delmar Boulevard and Interstate Highway 44; and iii) South - that area of the City generally south of Interstate Highway 44.

SECTION THIRTEEN. If any provision of this Ordinance shall be held invalid, the remainder of this Ordinance, to the extent severable therefrom, shall not thereby be invalidated.

SECTION FOURTEEN. This being an ordinance providing for the submission of a question to the voters, it is hereby declared to be an emergency ordinance as provided by Article IV, Section 20 of the Charter of the City of St. Louis, and shall be effective immediately upon approval by the Mayor or its approval over his or her veto.

Legislative History

1ST READING	REF TO COMM	COMMITTEE	COMM SUB	COMM AMEND
06/30/00	06/30/00	PARK	07/05/00	
2ND READING	FLOOR AMEND	FLOOR SUB	PERFECTN	PASSAGE
07/07/00			07/14/00	07/14/00
ORDINANCE	VETOED	VETO OVR	SIGNED BY MAYOR	
64994			07/17/00	